Case 3:04-cv-00251-HSO-ASH Document 656-5 Filed 06/15/15

2009 JAN -5 P 2: 55

LEECIA WELCH JOHN F. O'TOOLE

NATIONAL CENTER FOR YOUTH LAW 405 14th Street, 15th Floor BY:

Oakland, California 94612-2701

(510) 835-8098

STEPHEN C. CLARK (USB #4551)

JONES WALDO HOLBROOK &

McDONOUGH

1500 First Interstate Plaza

170 South Main Street

Salt Lake City, Utah 84101

(801) 521-3200

GREGORY P. DRESSER

MORRISON & FOESTER LLP

425 Market Street

San Francisco, California 94105-2482

(415) 268-7000

Attorneys for Plaintiffs

MARK SHURTLEFF (#4666)

STAR ATTORNEY GENERAL

CRAIG L. BARLOW (USB #0213)

SUSAN EISENMAN (USB #6872)

ASSISTANT ATTORNEYS GENERAL

FOR THE STATE OF UTAH

5272 College Drive

Murray, Utah 84123

(801) 281-1234

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF UTAH, CENTRAL DIVISION

DAVID C., et al.,

Plaintiffs

v.

JON M. HUNTSMAN, JR., et al.,

Defendants

ORDER OF DISMISSAL WITH **PREJUDICE**

CIVIL NO: 2:93-CV-00206 TC

JUDGE CAMPBELL

The Court is in receipt of the parties' Joint Notice of Dismissal, submitted on December 30, 2008. The Court finds that the notice required by Rule 23(e) of the Federal Rules of Civil Procedure was previously given when the Court dismissed the case without prejudice on June 28, 2007. At this time, the parties and Court Monitor agree that the defendant State of Utah has

EXHIBIT

complied with the terms of the settlement agreement, and that dismissal with prejudice is appropriate.

IT IS HEREBY ORDERED that:

David C. v. Huntsman, et al. is dismissed with prejudice.

Dated this b day of

_____, 2008/9

UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

TENA CAMPBELL

United States District Court Judge, District of Utah